

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
LUBOS NAPRSTEK,

Plaintiff,

-v-

MARRIOTT INTERNATIONAL, INC.,

Defendant.

CIVIL ACTION NO. 21 Civ. 8560 (CM) (SLC)

ORDER

SARAH L. CAVE, United States Magistrate Judge.

The Court received the parties' status letter (ECF No. 108) and ORDERS as follows:

(1) Expert discovery shall proceed as follows:

- a. On or before **November 25, 2024**, Plaintiff shall deliver to Defendant his disclosures of expert testimony, as required under Federal Rule of Civil Procedure 26(a)(2). Plaintiff's failure to provide the required disclosures may foreclose his opportunity to proffer any experts in this case. See Rekor Systems, Inc. v. Loughlin, No. 19 Civ. 7767 (LJL), 2022 WL 2063857, at *8 (S.D.N.Y. June 8, 2022).
- b. On or before **December 20, 2024**, Defendant may provide a rebuttal expert(s).
- c. All expert reports shall be delivered on or before **January 17, 2025**.
- d. On or before **January 24, 2025**, the parties shall file a joint letter certifying the completion of expert discovery.
- e. Contrary to Plaintiff's assertion (ECF No. 108 at 1), Defendant is **not** required to cover the cost of his expert discovery due to his pro se status. Plaintiff shall incur the costs of his own expert discovery at this stage of the proceedings.

(2) Plaintiff's request to take judicial notice of certain facts (ECF No. 108 at 2) is **DENIED without prejudice**. Plaintiff may renew his request, if appropriate, during summary judgment or trial proceedings.

(3) No settlement conference will be set at this time.

(4) A briefing schedule for summary judgment motions is **held in abeyance** until expert discovery is complete.

The Clerk of Court is respectfully directed to mail a copy of this Order to Plaintiff.

Dated: New York, New York
October 28, 2024

SO ORDERED.



SARAH L. CAVE
United States Magistrate Judge